



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,663	12/31/2003	Krishna Bharat	0026-0063	2794

44989 7590 02/21/2007
HARRITY SNYDER, LLP
11350 Random Hills Road
SUITE 600
FAIRFAX, VA 22030

EXAMINER

AHLUWALIA, NAVNEET K

ART UNIT PAPER NUMBER

2166

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/748,663

Applicant(s)

BHARAT ET AL.

Examiner

Navneet K. Ahluwalia

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 28 November 2006.
- 2a) This action is **FINAL**.
- 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-3, 5-31 and 39-53 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-3, 5-31 and 39-53 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 09/18/2006.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application
- 6) Other: _____

DETAILED ACTION

1. This communication is in response to the Amendment filed November 11, 2006.

Response to Arguments

2. Claims 1 – 3, 5 – 31 and 39 – 53 are pending in this Office Action. After further search and thorough examination of the present application, claims 1 – 3, 5 – 31 and 39 – 53 remain rejected. Applicant has cancelled claims 32 – 38.
3. Applicant's arguments with respect to claims 1 – 3, 5 – 22 and 40 – 53 have been considered but are moot in view of the new ground(s) of rejection. The rejection to claims 23 – 39 have been maintained.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 23 – 39 are rejected under 35 U.S.C. 102(e) as being anticipated by Wittke et al. ('Wittke' herein after) (US 2004/0059705 A1).

With respect to claim 23,

Art Unit: 2166

Wittke discloses a method of creating a personalized news document, comprising: receiving a plurality of search queries from a user; creating a customized news document including a plurality of personalized news sections (paragraph 260), with each news section being defined by a different one of the plurality of search queries, retrieving news content from memory using the plurality of search queries (figure 19); and inserting selected news content of the retrieved news content into each of the personalized news sections of the customized news document (paragraphs 281 and 325).

With respect to claim 24,

Wittke discloses the method of claim 23, further comprising: retrieving updated news content from the memory using the plurality of search queries; and periodically inserting the selected news content of the updated news content into each of the personalized news sections of the customized news document (paragraphs 371 and 378).

With respect to claim 25,

Wittke discloses the method of claim 23, wherein the news content is fetched from a plurality of news source servers and aggregated via a news aggregation service in the memory (figures 19 and 20, paragraph 291).

With respect to claim 26,

Art Unit: 2166

Wittke discloses the method of claim 25, wherein the customized news document is hosted at a news aggregation server that further hosts the news aggregation service (figures 19 and 25).

With respect to claim 27,

Wittke discloses the method of claim 25, wherein the customized news document is hosted at a server that is remote from a news aggregation server that hosts the news aggregation service (figures 19 and 31).

With respect to claim 28,

Wittke discloses the method of claim 23, further comprising: notifying the user of the updated news content (paragraph 342).

With respect to claim 29,

Wittke discloses the method of claim 28, wherein notifying the user of the updated news content comprises notifying the user via at least one of a page, an e-mail, a FAX, and a telephone call (paragraph 342).

With respect to claim 30,

Wittke discloses the method of claim 23, further comprising: registering the customized news document with a registry and providing access for other users to the customized news document via the registry (paragraph 393).

Art Unit: 2166

With respect to claim 31,

Wittke discloses a news aggregation server, comprising: a memory configured to store instructions and news content (figures 19 and 31); and a processing unit configured to execute the instructions in memory to: obtain plurality of search queries from a user, create a customized news document including a plurality of personalized news sections (paragraph 260), with each news section being defined by a different one of the plurality of search queries, retrieve news content from the memory using the plurality of search queries (figure 19), and insert selected news content of the retrieved news content into each of the personalized news sections of the customized news document (paragraphs 281 and 325).

With respect to claim 39,

Wittke discloses a system for creating a customized news document, comprising: means for receiving a plurality of search queries from a user (figures 2 and 5, paragraphs 201 – 202); means for creating a customized news document including a plurality of personalized news sections (paragraph 260), with each news section being defined by a different one of the plurality of search queries; means for retrieving news content from a plurality of sources of news content using the plurality of search queries (figure 19); and means for inserting selected news content of the retrieved news content into each of the personalized news sections of the customized news document (paragraphs 281 and 325).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1 – 3, 5 – 22 and 40 – 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wittke et al. ('Wittke' herein after) (US 2004/0059705 A1) as applied to claims 23 – 39 above, and further in view of Miyasaka et al. ('Miyasaka' herein after) (US 6,990,633 B1).

With respect to claim 1,

Wittke discloses a method of customizing a news document associated with a user of a news aggregation service, comprising: creating the customized news document with one or more personalized search queries received from the user (paragraph 260, Wittke), wherein creating the customized news document further comprises: dividing the news document into a plurality of news sections, with each of the news sections including one or more items of related news content, the search query being associated with only one of the plurality of news sections (figures 2 and 5, paragraphs 201 – 202, Wittke); fetching news content from a plurality of news source servers (figure 19, Wittke); aggregating the news content (figure 19); searching the aggregated news content based, at least in part, on the one or more personalized search query (paragraph 281, Wittke); and providing selected news content to the one

Art Unit: 2166

of the plurality of news sections based, at least in part, on results of the search (paragraph 325).

Wittke does not explicitly disclose the division of the document as claimed.

Miyasaka however teaches the division of the news document as claimed (column 13 lines 26 – 40).

It would have been obvious to one of ordinary skill in the art of data processing at the time of the present invention to combine the teachings of cited references because both the inventions are in the same field of personalizing aggregations of information. Furthermore, obtaining preferences of a recipient that include an indication of one or more preferred categories, a preferred presentation layout, and a preferred advertising category; obtaining content information having content in at least one of the preferred categories; and personalization with aggregation would provide the user with relevant information without the unnecessary information or advertisements (column 2 lines 25 – 34, Miyasaka).

8. Claims 2, 3 and 5 – 20 are rejected under the same rationale given for claim 1.

The citations of the elements claimed and taught are listed below.

With respect to claim 2,

Wittke as modified discloses the method of claim 1, wherein the query comprises at least one of a keyword, a news topic or a selected geographic region (paragraphs 34 and 262, Wittke).

Art Unit: 2166

With respect to claim 3,

Wittke as modified discloses the method of claim 1, wherein the customized news document comprises a web page (figure 43 and paragraph 335, Wittke).

With respect to claim 5,

Wittke as modified discloses the method of claim 1, further comprising: receiving user input specifying a number of stories that a selected news section of the plurality of news sections should have (paragraphs 369 – 370, Wittke).

With respect to claim 6,

Wittke as modified discloses the method of claim 1, further comprising: receiving user input specifying whether image data should be associated with a selected news section of the plurality of news sections (paragraph 335, Wittke).

With respect to claim 7,

Wittke as modified discloses the method of claim 1, further comprising: fetching updated news content from the plurality of news source servers; aggregating the updated news content; searching the aggregated updated news content based on the personalized search query to perform an update search; and periodically providing updated news content to the one of the plurality of news sections based on results of the update search (figure 52, paragraphs 371 and 378, Wittke).

Art Unit: 2166

With respect to claim 8,

Wittke as modified discloses the method of claim 7, further comprising: notifying the user of the updated news content (paragraph 342, Wittke).

With respect to claim 9,

Wittke as modified discloses the method of claim 8, wherein notifying the user of the updated news content comprises notifying the user via at least one of a page, an e-mail, a FAX, and a telephone call (paragraph 342, Wittke).

With respect to claim 10,

Wittke as modified discloses the method of claim 1, wherein creating the customized news document comprises: receiving user input for creating a new news section corresponding to an additional search query (figure 14A, paragraph 280, Wittke).

With respect to claim 11,

Wittke as modified discloses the method of claim 1, wherein creating the customized news document comprises: changing the search query associated with the one of the news sections (paragraph 283, Wittke).

With respect to claim 12,

Art Unit: 2166

Wittke as modified discloses the method of claim 1, wherein creating the customized news document comprises: moving at least one news section of the plurality of news sections around on the customized news document (figure 43, paragraph 340, Wittke).

With respect to claim 13,

Wittke as modified discloses the method of claim 1, wherein creating the customized news document comprises: deleting at least one news section of the plurality of news sections (paragraphs 373 – 378, Wittke).

With respect to claim 14,

Wittke as modified discloses the method of claim 1, wherein creating the customized news document comprises: receiving user input related to how news content should be sorted for display in each of the plurality of news sections (paragraphs 347 – 350, Wittke).

With respect to claim 15,

Wittke as modified discloses the method of claim 1, further comprising: receiving an additional search query from the user; creating an additional news section on the customized news document; and associating the additional search query with the additional news section (figure 14A, paragraph 280, Wittke).

Art Unit: 2166

With respect to claim 16,

Wittke as modified discloses the method of claim 1, further comprising: registering the customized news document with a registry; and providing access for other users to the customized news document via the registry (paragraph 393, Wittke).

With respect to claim 17,

Wittke as modified discloses the method of claim 1, wherein creating the customized news document comprises: receiving user input for selecting an appearance of the customized news document (figure 44 and paragraph 340, Wittke).

With respect to claim 18,

Wittke as modified discloses the method of claim 1, further comprising: providing a copy of the customized news document in at least one of hard copy or machine viewable format (paragraph 339, Wittke).

With respect to claim 19,

Wittke as modified discloses the method of claim 1, wherein the customized news document is hosted by a news aggregation server that fetches, aggregates and searches the news content (figures 19 and 20, paragraph 291, Wittke).

With respect to claim 20,

Art Unit: 2166

Wittke as modified discloses the method of claim 1, wherein the customized news document is hosted by a personal document server, associated with the user, that is different from a news aggregation server that fetches, aggregates and searches the news content (paragraph 277, Wittke).

With respect to claim 21,

Wittke discloses a system for customizing a news document associated with a user of a news aggregation service, comprising: a remote news aggregation server configured to (paragraph 277): create the customized news document with a personalized search query received from the user (paragraph 260), wherein creating the customized news document includes dividing the news document into a plurality of news sections, with each of the news sections including one or more items of related news content, the search query being associated with only one of the plurality of news sections, search news content from a plurality of news source servers based on the personalized search query (paragraph 281 and figure 19), and provide selected news content to the one of the plurality of news sections based on results of the search (paragraph 325).

Wittke does not explicitly disclose the division of the document as claimed.

Miyasaka however teaches the division of the news document as claimed (column 13 lines 26 – 40).

It would have been obvious to one of ordinary skill in the art of data processing at the time of the present invention to combine the teachings of cited references because

Art Unit: 2166

both the inventions are in the same field of personalizing aggregations of information. Furthermore, obtaining preferences of a recipient that include an indication of one or more preferred categories, a preferred presentation layout, and a preferred advertising category; obtaining content information having content in at least one of the preferred categories; and personalization with aggregation would provide the user with relevant information without the unnecessary information or advertisements (column 2 lines 25 – 34, Miyasaka).

9. Claim 22 is rejected under the same rationale given for claim 21. The citations of the elements claimed and taught are listed below

With respect to claim 22,

Wittke as modified discloses the system of claim 21, wherein the remote news aggregation server is further configured, prior to searching the aggregated news content, to: fetch the news content from the plurality of news source servers, and aggregate the news content (figure 52, paragraphs 371 and 378, Wittke).

With respect to claim 40,

A method, comprising: dividing a news document into a plurality of news sections; receiving a first search query and a second search query, searching news content based on the first search query to obtain a first set of related news items (paragraph 260); searching the news content based on the second search query to

Art Unit: 2166

obtain a second set of related news items (figures 2 and 5, paragraphs 201 – 202); populating a first news section of the plurality of news sections with the first set of related news items (figure 19); and populating a second news section of the plurality of news sections with the second set of related news items (paragraphs 281 and 325).

Wittke does not explicitly disclose the division of the document as claimed.

Miyasaka however teaches the division of the news document as claimed (column 13 lines 26 – 40).

It would have been obvious to one of ordinary skill in the art of data processing at the time of the present invention to combine the teachings of cited references because both the inventions are in the same field of personalizing aggregations of information. Furthermore, obtaining preferences of a recipient that include an indication of one or more preferred categories, a preferred presentation layout, and a preferred advertising category; obtaining content information having content in at least one of the preferred categories; and personalization with aggregation would provide the user with relevant information without the unnecessary information or advertisements (column 2 lines 25 – 34, Miyasaka).

10. Claims 41 – 53 are rejected under the same rationale given for claim 40. The citations of the elements claimed and taught are listed below.

With respect to claim 41,

Art Unit: 2166

Wittke as modified discloses method of claim 40, wherein the first and second search queries are received from a user via a network (figure 43 and paragraph 335, Wittke).

With respect to claim 42,

Wittke as modified discloses method of claim 40, wherein the first and second search queries are selected by a user from a list of search queries (figure 52, paragraphs 371 and 378, Wittke).

With respect to claim 43,

Wittke as modified discloses method of claim 42, wherein the list of search queries comprises search queries previously used by the user to search the news content (paragraphs 369 – 370, Wittke).

With respect to claim 44,

Wittke as modified discloses method of claim 40, further comprising: receiving an indication from a user specifying a number of news items the first news sections should contain, wherein populating the first news section comprises obtaining the number of news items from the first set of related news items (paragraph 342, Wittke).

With respect to claim 45,

Art Unit: 2166

Wittke as modified discloses method of claim 40, further comprising: receiving an indication from a user specifying one or more preferences for certain kinds of news sources for the news content, wherein searching the news content based on the first search query is further based on the one or more preferences (figure 14A, paragraph 280, Wittke).

With respect to claim 46,

Wittke as modified discloses method of claim 40, further comprising: ranking news items of the first set of related news items in a rank order (paragraph 283, Wittke).

With respect to claim 47,

Wittke as modified discloses method of claim 46, further comprising: receiving keywords from the user; and boosting selected news items of the first set of related news items higher in the rank order when the selected news items contain one or more of the keywords (paragraphs 373 – 378, Wittke).

With respect to claim 48,

Wittke as modified discloses method of claim 40, further comprising: receiving an indication from a user specifying preferences for journalists who author news items of the news content, wherein searching the news content based on the first search query is further based on the user-specified preferences for journalists (paragraphs 347 – 350, Wittke).

Art Unit: 2166

With respect to claim 49,

Wittke as modified discloses method of claim 40, further comprising: receiving an indication from a user specifying preferences for genres of news among the news content, wherein searching the news content based on the first search query is further based on the user specified preferences for genres of news (figure 14A, paragraph 280, Wittke).

With respect to claim 50,

Wittke as modified discloses method of claim 40, further comprising: deleting the first news section from the news document based on an instruction received from a user (paragraph 393, Wittke).

With respect to claim 51,

Wittke as modified discloses method of claim 40, further comprising: labeling, on the news document, the first news section with a first label related to the first search query (figure 44 and paragraph 340, Wittke).

With respect to claim 52,

Wittke as modified discloses method of claim 51, further comprising: labeling, on the news document, the second news section with a second label related to the second search query (paragraph 339, Wittke).

With respect to claim 53,

Wittke as modified discloses method of claim 40, wherein the first and second search queries are received from a user and further comprising: providing the news document to the user (figures 19 and 20, paragraph 291, Wittke).

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 2166

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Navneet K. Ahluwalia whose telephone number is 571-272-5636.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam T. Hosain can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Navneet

Navneet K. Ahluwalia
Examiner
Art Unit 2166

TM 2/19/07

Dated: 02/05/2007

Hosain
HOSAIN ALAM
SUPERVISORY PATENT EXAMINER